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Resolution 1864 (2009)

Adopted by the Security Council at its 6074th meeting, on 23 January 2009

The Security Council,

Recalling its resolutions 1825 (2008), 1796 (2008) and 1740 (2007),

Reaffirming the sovereignty, territorial integrity and political independence of Nepal and its ownership of the implementation of the Comprehensive Peace Agreement and subsequent agreements,

Recalling the signing on 21 November 2006 by the Government of Nepal and the Communist Party of Nepal (Maoist) of a Comprehensive Peace Agreement, and the stated commitment of both parties to find a permanent and sustainable peace and commending the steps taken to date to implement the Agreement,

Acknowledging the strong desire of the Nepalese people for peace and the restoration of democracy and the importance in this respect of the implementation of the Comprehensive Peace Agreement and subsequent agreements by the relevant parties,

Expressing its continued readiness to support the peace process in Nepal in the timely and effective implementation of the Comprehensive Peace Agreement and subsequent agreements, in particular the 25 June Agreement, as requested by the Government of Nepal,

Welcoming the successful conclusion of the Constituent Assembly elections on 10 April 2008, and the progress made by the parties since the formation of the Constituent Assembly in working towards a democratic government, including the decision made at the first session of the Constituent Assembly to establish Nepal as a federal democratic republic,

Welcoming the formation of a democratically elected government and institutions in Nepal,

Welcoming the establishment of the Special Committee for the supervision, integration and rehabilitation of the Maoist army personnel, and *calling upon* the Government of Nepal, and all political parties to work together to ensure the effective working of the committee, and to complete the integration and rehabilitation of the Maoist army personnel,

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Echoing the Secretary-General's call for all parties in Nepal to move forward swiftly in the implementation of the agreements reached, *noting* the Secretary-General's assessment that the United Nations Mission in Nepal (UNMIN) will be well placed to assist in the management of arms and armed personnel in accordance with the 25 June Agreement between the political parties, and recognising UNMIN's willingness to assist the parties in this, as requested, in order to achieve a durable solution,

Welcoming the report of the Secretary-General of 2 January on the United Nations Mission in Nepal (UNMIN), in accordance with his mandate,

Welcoming the completion of two phases of the verification process and continuing assistance with the management of arms and armed personnel of both sides in accordance with resolution 1740 (2007) and in line with the provisions of the Comprehensive Peace Agreement, *noting* the importance of a durable long term solution in helping to create the conditions for completion of UNMIN's activities and *noting* also in this regard the need to address outstanding issues, particularly the release of minors in cantonment sites, and *welcoming* the Government of Nepal's commitment to discharge minors without further delay, and *calling upon* the Government of Nepal to implement this commitment as soon as possible, and for continued reporting on this issue as required under resolution 1612 (2005),

Noting with appreciation that with the successful holding of the Constituent Assembly elections, some of the elements of the mandate relating to UNMIN as set out in resolution 1740 (2007) have already been accomplished,

Taking note of the Government of Nepal's letter to the Secretary-General of 12 December 2008 (S/2008/837), which recognises UNMIN's contribution and requests an extension of UNMIN at a smaller scale to carry out the remainder of the mandate for six months, and further taking note of the intention of the Government of Nepal with regard to termination of UNMIN's monitoring requirements by the end of this six month period,

Recognizing the need to pay special attention to the needs of women, children and traditionally marginalized groups in the peace process, as mentioned in the Comprehensive Peace Agreement and resolution 1325 (2000),

Recognizing that civil society can play an important role in democratic transition and conflict prevention,

Expressing appreciation for the contribution of the Secretary-General's Special Representative and the efforts of his team in UNMIN, and the United Nations Country Team, including the Office of the High Commissioner for Human Rights which is monitoring human rights at the request of the government, and *stressing* the need for coordination and complementarity of efforts between the mission and all the United Nations actors in the mission area, particularly in order to ensure continuity, as the mandate comes to an end,

1. *Decides* in line with the request from the Government of Nepal and the Secretary-General's recommendations, to renew the mandate of UNMIN as established under resolution 1740 (2007) until 23 July 2009, taking into account the completion of some elements of the mandate, the ongoing work on the monitoring and the management of arms and armed personnel in line with the 25 June

Agreement among the political parties, which will support the completion of the peace process;

2. *Calls upon* all parties to take full advantage of the expertise and readiness of UNMIN, within its mandate, to support the peace process to facilitate the completion of outstanding aspects of UNMIN's mandate;

3. *Concurs* with the Secretary-General's view that the current monitoring arrangements cannot be maintained indefinitely, and *underlines* the need for the Government of Nepal to consider necessary measures to reduce UNMIN's monitoring requirements;

4. *Endorses* the Secretary-General's recommendations for a phased, gradual, drawdown and withdrawal of UNMIN staff, including arms monitors, as proposed in paragraph 62 and 63 of the Report of the Secretary-General;

5. *Requests* the Secretary-General to keep the Security Council informed of progress towards implementation of this resolution and to submit a report on this and the implications for UNMIN, with a view to further downsizing of UNMIN, no later than 30 April 2009;

6. *Calls upon* the Government of Nepal to continue to take the necessary decisions to create conditions conducive to completion of UNMIN's activities by the end of the current mandate, including through implementation of the 25 June Agreement, in order to facilitate UNMIN's withdrawal from Nepal;

7. *Welcomes* progress achieved so far, and *calls upon* all political parties in Nepal to expedite the peace process, and to continue to work together in a spirit of cooperation, consensus and compromise in order to continue the transition to a durable long-term solution to enable the country to move to a peaceful, democratic and more prosperous future;

8. *Requests* the parties in Nepal to take the necessary steps to promote the safety, security and freedom of movement of UNMIN and associated personnel in executing the tasks defined in the mandate;

9. *Decides* to remain seized of the matter.